

**Remarks/Arguments:**

The pending claims are 1-20.

Claim 1 has been rejected under 35 U.S.C. § 103(a) as unpatentable over Admitted Prior Art in view of Tanioka (U.S. Patent Application Publication No. 2003/0033431). The rejection is traversed. The Office Action contends that it would have been obvious to incorporate the barrel-sided coupler 23 from Tanioka into the Admitted Prior Art for the purpose of having a lens barrel capable of preventing a deformation of an operating ring when restricting its rotation. Applicants respectfully disagree.

The Tanioka published application is directed to "a lens barrel constructed to prevent a deformation of an operation ring when restricting a rotation." (paragraph [0003]). In contrast, applicants' invention is directed to "a device which can focus the objective lens by moving it only in a translational direction and without rotating the objective lens." (page 1, first paragraph). Applicants' invention describes an apparatus that prevents rotation of the lens housing while allowing the focus ring to turn. Applicants' device accomplishes that goal with "a coupler for coupling the lens housing to the second knob to prevent the lens housing from rotating relative to the second knob when the first knob is rotated" as recited in claim 1. Applicants' device and Tanioka solve different problems. Applicants' device does not discuss or suggest the problem that Tanioka seeks to solve: deformation of an operation ring when restricting its rotation. (paragraph 11). Therefore, one skilled in the art at the time applicants' invention was made would not have been motivated to incorporate a deformation prevention mechanism into the Admitted Prior Art.

In addition, the barrel-sided coupler 23 contended by the Office Action as equivalent to applicants' coupler, is not equivalent at all. Applicants' coupler is "for coupling the lens housing to the second knob to prevent the lens housing from rotating relative to the second knob when the first knob is rotated." (emphasis added). In contrast, barrel-sided coupler 23 does not prevent rotation of anything. To the contrary, it transmits rotation. More specifically, internal gear ring and barrel-sided coupler 23

are rotatably held in the rear fixed drum 5. . . The barrel-sided coupler 23 is formed at its front side end with a pinion 29 meshing with a gear 27 of the internal gear ring 21. Accordingly, when the camera-sided couple is rotationally driven by an unillustrated electric motor within the camera, its rotations are transferred to the internal gear ring 21 via the barrel-sided coupler 23, whereby the internal gear ring 21 rotates about the optical axis." (paragraph [0023], emphasis added)

To remove any doubt about the operation of barrel-sided coupler 23, Tanioka states that the rotations of the electric motor

are transferred to the barrel-sided coupler 23 from an unillustrated camera-sided coupler, and the internal gear ring 21 is rotationally driven by the pinion 29 of the barrel-sided coupler 23. (paragraph [0031])

Because the goals and operations of applicants' device and the Tanioka device are the opposite of each other, it would not have been obvious to add the barrel-sided coupler 23 to the device described in the Admitted Prior Art.

In addition, in the Admitted Prior Art, "rotation of knob 28 rotates lens housing 14 at the same time that it moves lens housing 14 in a translational direction." (page 3, lines 20-22). Since barrel-sided coupled 23 causes drive lever 57 and manual focus ring 21 to rotate integrally (paragraph [0031], its incorporation into the Admitted Prior Art would result in a device that continues to allow the lens housing to rotate relative to the second knob. Therefore, even if the addition were made, the new combination would not comprise "a coupler for coupling the lens housing to the second knob to prevent the lens housing from rotating relative to the second knob when the first knob is rotated." That is, the combination would not comprise the invention recited in claim 1.

For all of the above reasons, claim 1 is not subject to rejection under 35 U.S.C. § 103(a) as unpatentable over Admitted Prior Art in view of Tanioka.

Claim 15 has been rejected under 35 U.S.C. § 103(a) as unpatentable over Admitted Prior Art in view of Burnett (U.S. Patent No. 5,940,228). The rejection is respectfully traversed. The Office Action contends that it would have been obvious to one of ordinary skill in the art to provide a lock ring 11 to the Admitted Prior Art device to eliminate erratic and binding movement of the objective cell within the monocular housing. Applicants respectfully disagree. There is nothing in the Admitted Prior Art indicating that the prior art device has a problem with erratic and binding movement of the objective cell. Instead, the Admitted Prior Art identifies the following as the problem it solved:

Because the conventional device causes the objective lens housing to rotate during focusing, the conventional device does not provide system compatibility with certain night vision imaging systems. Some systems require a rotationally stationary mounting. If these night vision systems are mounted to the conventional objective lens housing, the objective lens cannot be refocused without first removing the night vision system because the attached night vision system will not permit the lens housing to rotate. (page 3, line 22 to page 4, line 4).

Since the Admitted Prior Art did not identify erratic and binding movement of the objective cell as a problem to be solved, there would not have been any motivation to incorporate Burnett's lock ring into the Admitted Prior Art device. Therefore, it would not have been obvious to one of ordinary skill in the art to incorporate Burnett's lock ring into the Admitted Prior Art device.

In addition, claim 15 recites, in part:

a lock coupled to the objective cell and the optical system to prevent the objective cell from rotating relative to the optical system.

The lock ring in Burnett does not teach or suggest this feature. Instead, the lock ring in Burnett operates opposite to the lock recited in claim 15 by allowing the objective cell to rotate relative to the optical system. Specifically, Burnett states that the objective cell is "rotational" (col. 1, line 45), has "rotation" (col. 1, line 47), "is rotated by movement of the entire objective cell" (col. 1, lines 53-54; col. 3, lines 3-4), and has "approximately ninety degree of rotation." (col. 2, lines 50-51). In addition, claim 1 of Burnett recites that there is "rotation of the objective cell within the fixedly mounted ring subassembly." (col. 4, lines 20-21).

Even if the lock ring in Burnett were to be incorporated into the Admitted Prior Art device, the combination would not "prevent the objective cell from rotating relative to the optical system" as recited in claim 1. Instead, the lock ring in Burnett would continue to allow the objective cell of the Admitted Prior Art device to rotate. Accordingly, it would not have been obvious for one skilled in the art to combine Burnett's lock ring with the Admitted Prior Art device in order to have "a lock coupled to the objective cell and the optical system to prevent the objective cell from rotating relative to the optical system."

For all of the above reasons, claim 15 is not subject to rejection under 35 U.S.C. § 103(a) as unpatentable over Admitted Prior Art in view of Burnett.

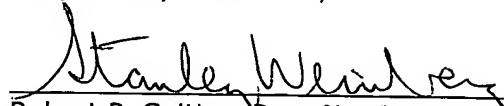
Claims 2-14, 16-20 have been objected to as dependent upon a rejected base claim. The applicants appreciate the Examiner's indication that claims 2-14 and 16-20 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have not rewritten claims 2-14 and 16-20 into independent form at this time because they believe that claims 1 and 15 are allowable.

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For all of the above reasons, applicants respectfully solicit allowance of the entire application.

Respectfully submitted,

  
Robert P. Seitter, Reg. No. 24,856  
Stanley Weinberg, Reg. No. 25,276  
Attorneys for Applicants

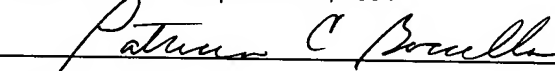
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Dated: September 2, 2004

P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

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Patricia C. Boccella

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